

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON GRAND JURY 2021  
MARCH 7, 2023 SESSION

UNITED STATES OF AMERICA



v.

CRIMINAL NO. 2:23-cr-00028

18 U.S.C. § 922(u)  
18 U.S.C. § 924(i) (1)  
18 U.S.C. § 2

JOSHUA AZALE MITCHELL  
KEARA LEIGH KILPATRICK

I N D I C T M E N T

The Grand Jury Charges:

COUNT ONE

On or about November 9, 2022, at or near Dunbar, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendants JOSHUA AZALE MITCHELL and KEARA LEIGH KILPATRICK, aided and abetted by each other, did knowingly steal and unlawfully take and carry away from the premises of a person who was licensed to engage in the business of importing, manufacturing, and dealing in firearms, the following firearms that were in the licensee's business inventory and that had been shipped and transported in interstate and foreign commerce:

- a. Diamondback Firearms DB15 5.56 caliber rifle;
- b. Smith & Wesson M&P 15-22 .22 caliber rifle.

In violation of Title 18, United States Code, Sections 922(u), 924(i) (1), and 2.

COUNT TWO

On or about November 10, 2022, at or near Cross Lanes, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendants JOSHUA AZALE MITCHELL and KEARA LEIGH KILPATRICK, aided and abetted by each other, did knowingly steal and unlawfully take and carry away from the premises of a person who was licensed to engage in the business of importing, manufacturing, and dealing in firearms, the following firearms that were in the licensee's business inventory and that had been shipped and transported in interstate and foreign commerce:

- a. Custom Arms & Accessories LD-15 5.56 caliber rifle;
- b. DPMS Panther Arms A-15 5.56 caliber rifle.

In violation of Title 18, United States Code, Sections 922(u), 924(i)(1), and 2.

WILLIAM S. THOMPSON  
United States Attorney

By:

  
RYAN A. KEEFE  
Assistant United States Attorney